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## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on August \_\_\_\_\_\_\_, 2004.

Attorney for applicant

PATENT Docket No. 3124.2.1.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Vermon S. Esplin	)
Serial No.:	10/811,766	) ) ) A = 1 T= i4
Filed:	March 29, 2004	) Art Unit ) 3124
For:	SOFT TISSUE ANCHOR	)

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

This Information Disclosure Statement discloses information which has come to the attention of Applicant or those individuals designated in § 1.56(c) and is being submitted to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(b), this Statement is being filed within three (3) months of the filing date of the above-identified application or before the mailing date of a first Action on the merits.

Neither Applicant nor those individuals designated in § 1.56(c) make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, this Information Disclosure Statement includes and is accompanied by:

- A completed copy of Form PTO-1449 listing the patents, publications and other information being submitted for consideration; and
- 2. A legible copy of each patent, publication, and other item of information in written form listed on the enclosed Form.

Various patents, publications, and other items of information listed on the accompanying Form PTO-1449 were previously cited by and/or submitted to the U.S. Patent and Trademark Office in Applicant's prior application (App. Serial No. 09/808,456 filed March 14, 2001 for "SOFT TISSUE ANCHOR"), which is being relied upon for an earlier filing date under 35 U.S.C. § 120. In

accordance with 37 C.F.R. § 1.98(d), copies of these patents, publications, and other items of information are not being submitted with this Statement.

DATED this day of August, 2004.

Respectfully submitted,

A. John Pater

Attorney for Applicant

Date: August 11, 2004

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FORM PTO-1449	SERIAL NO.	ATTORNEY DOCKET
LIST OF PATENTS AND PUBLICATIONS	10/811,766	NO. 3124.2.1.2
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 29, 2004	GROUP ART UNIT 3731
(use several sheets if necessary)	APPLICANT(S):  Vermon S. Esplin	

## **U.S. PATENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,961,520	10/05/1999	Beck, Jr. et al.	606/72	03/27/97
	A2	5,931,840	08/03/1999	Goble et al.	606/73	01/28/98
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	A4	5,800,544	09/01/1998	Demopulous et al.	623/13	12/04/95
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EXAMINER	DATE CONSIDERED